

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,

CASE: 2:16-CR-00107-KJD-PAL

vs.

MINUTES OF THE COURT

RICHARD LEE CANTERBURY,
Defendant.

DATE: 2/20/2018

PRESENT: HONORABLE KENT J. DAWSON, UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: DENISE SAAVEDRA

REPORTER: PATTY GANCI/ AMBER
MCCLANE

COUNSEL FOR PLAINTIFF(S): LISA CARTIER-GIROUX and JARED GRIMMER

COUNSEL FOR DEFENDANT(S): THOMAS ERICSSON

PROCEEDINGS: Jury Trial - Day 1

Court convened at 9:20 a.m. Defendant is present in custody. Also present Special Agent Mollica with Government counsel.

Preliminary matters are discussed outside the presence of the jury. The Court Denies [112] Motion to Replace trial and Magistrate Judge and [108] Motion for Abstentia. Defendant request that he not be present during trial and Mr. Ericsson being reappointed as counsel. The Court gives Defendant instructions and constitutional rights lost if he is absent from the trial proceedings. Defendant agrees. Mr. Ericsson is reappointed as counsel. Defendant request that the trial go before the court instead of jury trial. Government consents to a bench trial. The Court Denies request for bench trial. Defendant is removed from the courtroom at his own request.

Recess is taken at 9:40 a.m.

Defendant is present at 9:44 a.m.. The Court advises the defendant further instruction as to his absence during the jury trial and for reasons stated previously on the record bench trial is denied. Defendant request that he stay during jury trial. The Court grants request and defendant is seated. Defendant does not wish to represent himself.

52 Prospective jurors enter the Courtroom 9:44 a.m. and are sworn. Voir Dire begins.

Counsel exercise peremptory challenges.

USA vs. RICHARD LEE CANTERBURY
2:16-CR-00107-KJD-PAL
FEBRUARY 20, 2018
PAGE 2

14 jurors are seated and sworn. Ms. Lisa Cartier-Giroux presents opening statements for the Government.

Ms. Lisa Cartier-Giroux presents opening statements for the Government.

Defense reserve opening statements.

Proceedings recess from 11:42 a.m. – 1:04 p.m.

Charlene Lucas is sworn to testify as a witness for the Government. Ms. Lisa Cartier-Giroux examines the witness. Government exhibits 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k, 1l, 1m, 1n, 11, 2, 12 1uu, 1mm, 1pp, 1ww, 1ddd are marked and admitted. Ms. Cartier-Giroux passes the witness for cross examination. Mr. Ericsson cross examines the witness. After further examination by Ms. Cartier-Giroux, the witness is excused.

Officer Walters is sworn to testify as a witness for the Government. Ms. Lisa Cartier-Giroux examines the witness. Government exhibit 1O is marked and admitted. Ms. Cartier-Giroux passes the witness for cross examination. Mr. Ericsson cross examines the witness. The witness is excused.

Officer McDonald is sworn to testify as a witness for the Government. Ms. Lisa Cartier-Giroux examines the witness. Government exhibit 3 is marked and admitted. The witness is excused.

Eric Tufteland is sworn to testify as a witness for the Government. Mr. Jared Grimmer examines the witness. Mr. Grimmer passes the witness for cross examination. Mr. Ericsson cross examines the witness. After further examination by Mr. Grimmer, the witness is excused.

Shandra Lynch is sworn to testify as a witness for the Government. Mr. Jared Grimmer examines the witness. Government exhibits 1p, 1q, 1r, 1s, 1t, 1u, 1v, 1w, 1x, 1y, 1z, 1aa, 1bb, 1cc, 1dd, 1ee, 1ff, 1gg, 1hh, 1ii, 1jj, 1kk, 1ll, 1mm, 1nn, 1oo, 1pp, 1qq, 1rr, 1ss, 1uu, 1vv, 1ww, 1xx, 1zz, 1aaa, 1bbb, 1ccc, 1eee, 1fff, 1ggg, 1hhh, 1iii. Mr. Grimmer passes the witness for cross examination. Mr. Ericsson cross examines the witness. The witness is excused.

Proceeding recess from 2:51 p.m. – 3:08 p.m.

Outside the presence of the jury, the court addresses juror #14 excusal request. Jury #14 is brought in and questioned. The juror is released.

Jurors are present at 3:10 p.m.

USA vs. RICHARD LEE CANTERBURY
2:16-CR-00107-KJD-PAL
FEBRUARY 20, 2018
PAGE 3

Detective Hubbard is sworn to testify as a witness for the Government. Ms. Cartier-Giroux examines the witness. Government exhibits 5, 6, and 7 are marked and admitted. Ms. Cartier-Giroux passes the witness for cross examination. Mr. Ericsson examines the witness. The witness is excused.

Detective Toomer is sworn to testify as a witness for the Government. Mr. Grimmer examines the witness. The witness is excused.

Rebekah Dapar is sworn to testify as a witness for the Government. Mr. Grimmer examines the witness. Government exhibit 9 and 10 are marked and admitted. Mr. Grimmer passes the witness for cross examination. Mr. Ericsson cross examines the witness. After further examination by Mr. Grimmer, the witness is excused.

Don Bellendier is sworn to testify as a witness for the Government. Ms. Cartier-Giroux examines the witness. Government exhibit 4a and 4b is marked and admitted. Ms. Cartier-Giroux passes the witness for cross examination. Mr. Ericsson cross examines the witness. Mr. Ericsson request testimony exclusion of video exhibits 4a and 4b. Accordingly, exhibit 4b objection is overruled, **exhibit 4a is withdrawn**. The Court instructs jury to disregard exhibit 4a because it has been withdrawn. After further examination by Ms. Cartier-Giroux, the witness is excused.

Agent Mollica is sworn to testify as a witness for the Government. Ms. Cartier-Giroux examines the witness. The witness is excused.

Government rests.

Defense rests.

Jury is excused at 4:25 p.m.

Defendant is canvassed about whether or not he will testify.

Court adjourns at 4:27 p.m.

DEBRA K. KEMPI, CLERK

United States District Court

By: _____/s/_____

Denise Saavedra, Deputy Clerk